

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

DONALD C. ERBACH, JR., and
STEPHANIE S. STRETT, husband and wife,
Individually and on Behalf of
All Others Similarly Situated

PLAINTIFFS

VS.

CASE NO. 4-07-CV-01112-JLH

SPIN MASTER, LTD. and
SPIN MASTER, INC.

DEFENDANTS

AFFIDAVIT OF SERVICE

I, James A. Streett, being duly sworn, state:

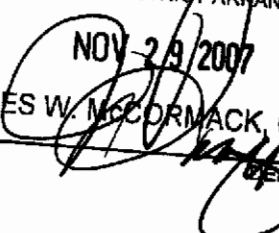
1. That on the 16th day of November, 2007, I did mail a copy of the Class Action Complaint and Summons in the above-styled case, to Defendant Spin Master, Inc. by certified United States mail with proper postage prepaid, return receipt requested, to: Spin Master, Inc., c/o Corporation Services Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808. A copy of that summons is attached hereto as Exhibit "A" and made a part hereof by reference.

2. That on the 26st day of November, 2007, I received a return receipt card signed by Laura Cooper of The Corporation Services Company. The receipt card is dated **November 19, 2007.**

3. A copy of the return receipt is hereto attached, marked Exhibit "B", and made a part hereof by reference.




STRETT LAW FIRM, P.A.
James A. Streett, ABA #2007092
Alex G. Streett, ABA #65038
107 West Main
Russellville, AR 72811
Phone 479-968-2030
Email: James@StreettLaw.com
Alex@StreettLaw.com

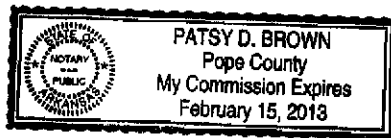
FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NOV 29 2007
JAMES W. MCCORMACK, CLERK
By: 

STATE OF ARKANSAS)
COUNTY OF POPE)

Subscribed and sworn to before me this 27th day of November, 2007.


Notary Public

My Commission Expires:



SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

EASTERN

District of

ARKANSAS

WESTERN DIVISION

DONALD C. ERBACH, JR. and
STEPHANIE S. STRETT, husband and wife,
et al V.

SUMMONS IN A CIVIL ACTION

SPIN MASTER, LTD. and
SPIN MASTER, INC.

CASE NUMBER: 4-07-CV-01112LH

TO: (Name and address of Defendant)

SPIN MASTER, INC.
c/o Corporation Service Company, Registered Agent
2711 Centerville Road Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ALEX G. STRETT
JAMES A. STRETT
STRETT LAW FIRM, PA
107 West Main
Russellville, AR 72801

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

James W. McCormack

November 15, 2007

CLERK

DATE

(By) DEPUTY CLERK

EXHIBIT

A

AQ 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ <div style="display: flex; justify-content: space-around; width: 100%;"> Date Signature of Server </div> <div style="text-align: center; margin-top: 20px;"> _____ Address of Server </div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

**NOTICE OF RIGHT TO CONSENT TO DISPOSITION
OF A CIVIL CASE BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. Section 636(c), you are hereby notified that upon the consent of all parties in a civil case, a United States Magistrate Judge of this district court may be authorized to conduct any or all proceedings, including trial of the case and entry of judgment. Copies of appropriate consent forms are available from the Clerk of the Court. Parties may submit their request on any one of the following forms: "*Consent Form A*," or "*Notice, Consent, and Order of Transfer*." These forms provide for any appeal of the case to be taken directly to the Circuit Court of Appeals.

You should be aware that your decision to consent, or not to consent, to the disposition of your case before a United States Magistrate Judge is entirely voluntary and should be communicated to the Clerk of the District Court.

In the event all parties consent to disposition by a Magistrate Judge, Magistrate Judge

H. DAVID YOUNG will handle this case.

CONSENT BY THE PARTIES DOES NOT AFFECT YOUR RIGHT TO A JURY TRIAL.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>X Laura Cooper</i></p>	
<p>1. Article Addressed to:</p> <p><i>Spin Master, Inc.</i> <i>c/o Corporation Service Company</i> <i>2711 Centerville Rd. #400</i> <i>Wilmington, DE 19808</i></p>		<p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>WILMINGTON</i> <i>NOV 19 2007</i> <i>SPS - 1908</i></p>	
<p>2. Article Number: <i>7007 0710 0003 0343 1930</i></p> <p><small>(Transfer from front of mailpiece)</small></p>		<p>D. Is delivery address different from Item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

EXHIBIT B